UNITED
NATIONS

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Security Council

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S/1997/535
10 July 1997

ORIGINAL: ENGLISH

LETTER DATED 10 JULY 1997 FROM THE PERMANENT REPRESENTATIVE OF KENYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward the final text of the communiqué issued at the conclusion of the Extraordinary Summit of the Heads of State and Government of the Intergovernmental Authority on Development (IGAD), held at Nairobi, on 8 and 9 July 1997. I would be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Njuguna M. MAHUGU O.G.W.
Ambassador
Permanent Representative

97-19106 (E) 110797

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Annex

Communiqué issued by the Extraordinary Summit of the Heads of State and Government of the Intergovernmental Authority on Development, held at Nairobi on 8 and 9 July 1997

1. At the invitation of H.E. President Daniel T. arap Moi of Kenya, current Chairman of the Intergovernmental Authority on Development (IGAD), President Hassan Gouled Aptidon of Djibouti, President Omar Hassan Al-Bashir of the Sudan, President Isaias Afwerki of Eritrea, Mr. Meles Zenawi, Prime Minister of Ethiopia, and Mr. Eriya Kategaya, First Deputy Prime Minister and Minister for Foreign Affairs, representing President Yoweri Kaguta Museveni of Uganda, met at Nairobi on 8 and 9 July 1997.

2. Also participating in the Summit was the Executive Secretary of IGAD, Dr. Tekeste Ghebray.

3. The Summit reviewed developments in the subregion since the last meeting in Djibouti in November of last year. The Summit expressed grave concern at the long-drawn-out conflicts in southern Sudan and the crisis in Somalia. The Summit deliberated on the future role of IGAD in the realization of the African Economic Community.

4. The Summit noted with concern that the IGAD peace initiative has stalled since September 1994. The Summit welcomed the acceptance by the Government of the Sudan of the Declaration of Principles as the basis for discussions and negotiations. The Summit considers this development as a major breakthrough in the peace initiative. This will enable the parties to the conflict to freely discuss and negotiate on all the points enshrined in the Declaration of Principles. Consequently, the Summit requested the Chairman of the IGAD peace initiative to take the necessary measures aimed at a speedy resumption of negotiations. The Summit called upon the parties to the conflict to create a conducive environment necessary for resumption of the negotiations.

5. The Summit noted with grave concern that peace in Somalia remains elusive, despite efforts to find a lasting solution to the problem. The Summit, therefore, welcomed the efforts being made with regard to the IGAD/Organization of African Unity (OAU) peace initiative on Somalia and noted that agreements reached by Somalia factions at Nairobi, Sodere (Ethiopia), Sana'a and Cairo contributed to advancing the process.

6. The Summit noted with satisfaction that the situation in northern Somalia was relatively stable and urged cooperation among the factions in order to create a united and peaceful Somalia. The Summit further encouraged all the factions in the South to attend the Bossaso Conference in November 1997. The Summit further pledged to support the outcome of the national reconciliation conference.

7. The Summit welcomed the decision by OAU to recognize IGAD as a Regional Economic Community (REC) and the participants expressed their determination to work towards the realization of the African Economic Community. To that end,

they resolved to strengthen IGAD through prompt payment of assessed contributions in order to achieve that objective.

8. The Summit welcomed the interest shown by IGAD's development partners to finance projects in the priority areas and appealed to them to redouble their efforts in providing the necessary resources for infrastructure development. The Summit emphasized the understanding shared by the partners that peace, stability and development are interlinked.

9. The Summit expressed its appreciation to His Excellency President Daniel T. arap Moi, the Government and the people of the Republic of Kenya for hosting the Summit and for the warm welcome and hospitality accorded to delegations.

(Signed) Daniel T. arap MOI
President of the Republic of Kenya
Current Chairman of the Intergovernmental Authority on Development

(Signed) Gouled APTIDON
President of the Republic of Djibouti

(Signed) Omar Hassan AL-BASHIR
President of the Republic of the Sudan

(Signed) Isaias AFWERKI
President of the State of Eritrea

(Signed) Meles ZENAWI
Prime Minister of the Federal Democratic Republic of Ethiopia

(Signed) Eriya KATEGAYA
First Deputy Prime Minister and Minister for Foreign Affairs
For the President of the Republic of Uganda

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LETTER DATED 11 JULY 1997 FROM THE PERMANENT REPRESENTATIVE OF KENYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to request that you invite the Permanent Observer of the Organization of African Unity to the United Nations to the formal meeting of the Security Council on 11 July 1997 to make a statement on the item entitled "The situation in Sierra Leone" under rule 39 of the Council's provisional rules of procedure.

(Signed) Njuguna M. MAHUGU, OGW
Ambassador
Permanent Representative

97-19258 (E) 110797

UNITED NATIONS **S**

Security Council

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S/1997/537
14 July 1997
ENGLISH
ORIGINAL: ENGLISH, FRENCH AND RUSSIAN

Draft resolution

The Security Council,

Recalling its earlier relevant resolutions, and in particular its resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1025 (1995) of 30 November 1995, 1038 (1996) of 15 January 1996, 1066 (1996) of 15 July 1996, and 1093 (1997) of 14 January 1997, as well as the statement of its President of 25 April 1997 (S/PRST/1997/23),

Having considered the report of the Secretary-General of 1 July 1997 (S/1997/506),

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia,

Noting with concern that the parties have failed to make any progress in adopting the practical options proposed by the United Nations military observers in May 1996, as referred to in the report of the Secretary-General of 31 December 1996, to reduce tension and improve safety and security in the area, or in reaching a peaceful settlement of the Prevlaka issue,

Noting also the observation contained in the report of the Secretary-General of 1 July 1997 that the presence of the United Nations military observers continues to be essential to maintain conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

Determining that the situation in Croatia continues to constitute a threat to international peace and security,

1. Authorizes the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995 (S/1995/1028*) until 15 January 1998;

2. Renews its calls upon the parties to abide by their mutual commitments, implement fully the Agreement on Normalization of Relations between

the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996, adopt the practical options proposed by the United Nations military observers for the improvement of safety and security in the area, cease all violations of the demilitarization regime and military or other activities which may increase tension, cooperate fully with the United Nations military observers and ensure their safety and freedom of movement, including through the removal of landmines;

3. Requests the Secretary-General to submit to the Council by 5 January 1998 a report on the situation in the Prevlaka peninsula as well as on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement to resolve peacefully their differences;

4. Requests the United Nations military observers and the multinational stabilization force authorized by the Council in resolution 1088 (1996) of 12 December 1996 to cooperate fully with each other;

5. Decides to remain actively seized of the matter.

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S/1997/538
14 July 1997

ORIGINAL: ENGLISH, FRENCH
AND RUSSIAN

Belgium, France, Germany, Italy, Japan, Portugal, Republic of Korea, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its relevant resolutions concerning the territories of Eastern Slavonia, Baranja and Western Sirmium of the Republic of Croatia, in particular its resolutions 1023 (1995) of 22 November 1995, 1025 (1995) of 30 November 1995, 1037 (1996) of 15 January 1996, 1043 (1996) of 31 January 1996, 1069 (1996) of 30 July 1996, and 1079 (1996) of 15 November 1996,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium are integral parts of the Republic of Croatia,

Expressing its appreciation for the substantial achievements of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) in facilitating progress towards the peaceful return of the Region to the control of the Republic of Croatia, and expressing further its deep appreciation to the dedicated military and civilian personnel of UNTAES for their outstanding contributions to the mission of UNTAES, and to the Transitional Administrator, Mr. Jacques Paul Klein, for his leadership and dedication,

Recalling the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951), signed on 12 November 1995 by the Government of the Republic of Croatia and the local Serb community (the Basic Agreement), which promotes the mutual confidence, safety and security of all inhabitants in the region,

Emphasizing the importance of the obligation of the Government of the Republic of Croatia to allow all refugees and displaced persons to return in safety to their homes throughout the Republic of Croatia, and further

emphasizing the importance of the two-way return of all displaced persons in the Republic of Croatia,

Welcoming the Agreement of the Joint Working Group on the Operational Procedures of Return (S/1997/341, annex), but noting with concern that the lack of conditions necessary for the return of displaced persons to the former United Nations Protected Areas from the Region of Eastern Slavonia, Baranja and Western Sirmium prevents the return in any substantial number of those displaced persons seeking to return to Eastern Slavonia, Baranja and Western Sirmium from other parts of Croatia,

Expressing its grave concern over the lack of improvement in respect for human rights, including the rights of persons belonging to minorities, in Croatia and in particular in the former United Nations Protected Areas, and strongly deploring recent incidents of ethnically-motivated violence in Hrvatska Kostajnica and similar incidents,

Reiterating its concerns about the failure of the Government of the Republic of Croatia to cooperate fully with the International Tribunal for the Former Yugoslavia, and in this context recalling the obligation of the States in the region to surrender all those indicted to the Tribunal,

Reiterating also its concerns about continued uncertainty regarding implementation of the Amnesty Law, which has been detrimental to the building of confidence and trust among Croatia's ethnic communities,

Welcoming the report of the Secretary-General of 23 June 1997 (S/1997/487), and noting in particular his recommendations for the continued presence of UNTAES after 15 July 1997 with an appropriate restructuring of the mission,

Recalling that the Basic Agreement provides that the transitional period of twelve months may be extended at most to another period of the same duration if so requested by one of the parties, and noting that the local Serb community has requested such an extension, as indicated by the Secretary-General in his report of 28 August 1996 (S/1996/705),

Determining that the situation in Croatia continues to constitute a threat to international peace and security,

Determined to ensure the security and freedom of movement of the personnel of the United Nations peacekeeping operations in the Republic of Croatia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. Expresses its full support for UNTAES, and calls upon the Government of the Republic of Croatia and the local Serb community to cooperate fully with UNTAES and other international bodies and to fulfil all obligations and commitments specified in the Basic Agreement and all relevant Security Council resolutions, as well as in the letter of the Government of the Republic of Croatia of 13 January 1997 (S/1997/27, annex);

2. Reaffirms in particular the importance of full compliance by the parties, in particular by the Government of the Republic of Croatia, with their

commitments, as specified in the Basic Agreement, to respect the highest standards of human rights and fundamental freedoms and to promote an atmosphere of confidence among local residents regardless of their ethnic origin, and urges the Government of the Republic of Croatia to ensure respect for the rights of all persons of all national ethnic groups;

3. Reaffirms the right of all refugees and displaced persons originating from the Republic of Croatia to return to their homes of origin throughout the Republic of Croatia;

4. Strongly urges the Government of the Republic of Croatia to eliminate promptly the administrative and legal obstacles to the return of refugees and displaced persons, in particular those posed by the Law on Temporary Take Over and Administration of Specified Property; to create the necessary conditions of security, safety, and social and economic opportunity for those returning to their homes in Croatia, including the prompt payment of pensions; and to foster the successful implementation of the Agreement on the Operational Procedures of Return (S/1997/341) treating all returnees equally, regardless of ethnic origin;

5. Reminds the local Serb population in Eastern Slavonia, Baranja and Western Sirmium of the importance of continuing to demonstrate a constructive attitude towards the reintegration of the region and a willingness to cooperate fully with the Government of the Republic of Croatia in building a stable and positive future for the Region;

6. Reiterates its previous calls on all the States in the region, including the Government of the Republic of Croatia, to cooperate fully with the International Tribunal for the Former Yugoslavia;

7. Urges the Government of the Republic of Croatia to eliminate ambiguities in implementation of the Amnesty Law, and to implement it fairly and objectively in accordance with international standards, in particular by concluding all investigations of crimes covered by the amnesty and undertaking an immediate and comprehensive review with United Nations and local Serb participation of all charges outstanding against individuals for serious violations of international humanitarian law which are not covered by the amnesty in order to end proceedings against all individuals against whom there is insufficient evidence;

8. Decides to extend the mandate of UNTAES until 15 January 1998, as envisaged in its resolution 1079 (1996) of 15 November 1996 as well as in the Basic Agreement;

9. Endorses the plan for the gradual devolution of executive responsibility for civil administration in the Region by the Transitional Administrator, as set out in the report of the Secretary-General of 23 June 1997;

10. Endorses the plan for restructuring UNTAES, as set out in the report of the Secretary-General of 23 June 1997, and, in particular, the proposal for achieving the drawdown of the UNTAES military component by 15 October 1997;

11. Stresses that the pace of the gradual devolution of executive responsibility would be commensurate with Croatia's demonstrated ability to reassure the Serb population and successfully complete peaceful reintegration;

12. Reiterates its decision in its resolution 1037 (1996) that Member States, acting nationally or through regional organizations or arrangements, may, at the request of UNTAES and on the basis of procedures communicated to the United Nations, take all necessary measures, including close air support, in defence of UNTAES and, as appropriate, to assist in the withdrawal of UNTAES;

13. Requests that UNTAES and the multinational stabilization force authorized by the Council in resolution 1088 (1996) of 12 December 1996 continue to cooperate, as appropriate, with each other, as well as with the High Representative;

14. Requests the Secretary-General to continue to keep the Council regularly informed of the situation and to report in any case no later than 6 October 1997 on all aspects relevant to the peaceful reintegration of the Region;

15. Stresses the importance of demilitarization of the area, and in that context stresses further the importance of achieving bilateral agreements on demilitarization and a liberal border regime in the region of Eastern Slavonia, Baranja and Western Sirmium, accompanied by appropriate confidence-building measures as suggested in the report of the Secretary-General of 23 June 1997;

16. Calls upon the Government of the Republic of Croatia, inter alia, to initiate a country-wide public programme of national reconciliation, to take all necessary steps for the official establishment and legal registration of the Joint Council of Municipalities, and to fulfil all its obligations as specified in the various agreements signed with UNTAES;

17. Welcomes the renewed mandate of the Organization for Security and Cooperation in Europe (OSCE) of 26 June 1997 (S/1997/522, annex) providing for a continued and reinforced OSCE presence in the Republic of Croatia, with a particular focus on two-way return of all refugees and displaced persons, protection of their rights, and the protection of persons belonging to national minorities, welcomes also the decision of OSCE for the build-up starting July 1997 of its mission personnel with a view to full deployment by 15 January 1998, and urges the Government of the Republic of Croatia to cooperate fully with the OSCE mission to that end;

18. Underlines the observation of the Secretary-General that the essential prerequisite for the successful completion of peaceful reintegration of the Region is the full cooperation of the Government of the Republic of Croatia, which bears the responsibility for convincing the local population that the reintegration of the people of the Region is sustainable and that the process of reconciliation and return is irreversible;

19. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

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11 July 1997
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LETTER DATED 10 JULY 1997 FROM THE PERMANENT REPRESENTATIVE OF LUXEMBOURG TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention the statement issued on 10 July 1997 by the Presidency of the European Union on the situation in Sierra Leone.

I should be grateful if you would have this letter and its annex circulated as a Security Council document.

(Signed) Jean-Louis WOLZFELD
Permanent Representative
of Luxembourg to the
United Nations

97-19172 (E) 110797 110797

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Annex

Statement issued on 10 July 1997 by the Presidency of the European Union on the situation in Sierra Leone

The European Union would refer to its statements of 28 May and 20 June 1997.

It welcomes the meeting of the States members of the Economic Community of West African States (ECOWAS) held at Conakry on 26 June. It lends its support to the efforts which ECOWAS is making to resolve the crisis in Sierra Leone and to prevent fresh bloodshed. The European Union particularly welcomes the presence of a representative of the Organization of African Unity (OAU) on the committee which the regional organization has set up to monitor the progress of diplomatic efforts.

The European Union awaits the committee's reports with the greatest interest and shares its objectives regarding the early achievement of a peaceful resolution of the crisis.

The European Union stresses the need for constitutional order to be restored in Sierra Leone by peaceful means. Pending the return of the legitimate Government to Freetown, the European Union reiterates the position expressed in its statement of 20 June and maintains its view that development aid granted to Sierra Leone cannot be continued in the present circumstances.

The Central and Eastern European countries associated with the European Union, the associated country Cyprus, Iceland and Norway align themselves with the present statement.

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GENERAL ASSEMBLY
Tenth emergency special session
Agenda item 5
ILLEGAL ISRAELI ACTIONS IN OCCUPIED
EAST JERUSALEM AND THE REST OF THE
OCCUPIED PALESTINIAN TERRITORY

SECURITY COUNCIL
Fifty-second year

Letter dated 11 July 1997 from the Permanent Representative of Iran to the United Nations addressed to the President of the General Assembly

Upon instructions from my Government and with reference to paragraph 13 (g) of document A/ES-10/6-S/1997/494 of 26 June 1997, I have the honour to state the following:

1. The Islamic Republic of Iran categorically denies the charges levelled against it by the representative of the Israeli regime. As a victim of international terrorism, the Islamic Republic of Iran has, on numerous occasions, condemned terrorism in all its forms and manifestations and called for genuine cooperation, at the international level, to combat this menace.

2. It is public knowledge that Israel resorts to terrorism as a tool for advancing its expansionist agenda. Continued harassment of Palestinians in the occupied territories, kidnapping and abduction of innocent civilians in Lebanon as well as physical elimination of Palestinian activists are but a few examples of terrorist activities of Israel.

3. The international community, particularly the United Nations, should reject the illegitimate policies of the Israeli regime, including attempts to cover up its own illegal actions through such diversionary propaganda tactics as accusing others.

It would be highly appreciated if the present letter were circulated as an official document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

97-19206 (E) 110797